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December 27, 2022

Hon. Christine M. Gravelle, U.S.B.J.
United States Bankruptcy Court
402 E. State Street
Trenton, NJ 08608

Re: Assuncao Bros, Inc. - Case No.: 22-16159-CMG

Dear Judge Gravelle:

On behalf of Assuncao Bros., Inc. (the "Debtor"), the debtor and debtor-in-possession, I write in response to the *Motion of Santander Consumer USA Inc. DBA Chrysler Capital to Modify the Automatic Stay* (the "Motion") [D.I. 165]. The Motion seeks relief from the automatic stay so that the movant may pursue its rights in a 2019 Jeep Grand Cherokee.

Although the Debtor does not oppose the relief requested in the Motion, it should be noted that the Debtor's counsel attempted to contact the movant's counsel, John Morton, several times to consensually resolve the motion and coordinate surrender of the vehicle. In particular, four emails were sent to what is believed to be Mr. Morton's email address on December 12, 2022,[1] December 14, 2022, December 19, 2022, and December 21, 2022. Mr. Morton did not respond to any of these emails. Attempts were also made to call Mr. Morton's office. Each attempt went to voicemail and the voicemailboxes for both Mr. Morton's direct and main office lines were full and could not accept new messages. Consequently, making this filing appears to be the only means to communicate with Mr. Morton to discuss the Motion and surrender of the vehicle.

Respectfully submitted,

Michael Herz
MRH:cb

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[1] D.N.J. LBR 9004-1(a)(1) requires that "[a]ll documents must contain in the top left corner of the first page the following information: (1) the name, address, telephone number, and *email address* of the attorney of record for the filing party…" (emphasis added). The Motion does not contain Mr. Morton's email address as required by the Local Rules.

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